

Chief Judge
Laura Taylor Swain

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: CORONAVIRUS/COVID-19 PANDEMIC

M10-468

THIS MATTER RELATES TO: Restrictions on Entry
to the Courthouses

TENTH AMENDED
STANDING ORDER

In the interest of public health and safety, and after consideration of public health guidelines issued by the Centers for Disease Control and Prevention, New York State, New York City, Westchester County, and other public health authorities, the United States District Court for the Southern District of New York hereby orders that, effective immediately and until this order is rescinded,

IT IS HEREBY ORDERED that any person who has tested positive for COVID-19, or been told by a health-care provider to assume they have COVID-19 due to symptoms or other factors, in the past 10 days is not permitted to enter the courthouses.

IT IS HEREBY ORDERED that any person who has experienced symptoms of COVID-19 in the past 10 days, including fever, cough, shortness of breath or difficulty breathing, extreme fatigue, nausea or vomiting, congestion or runny nose, muscle or body aches, headache, sore throat, new loss of taste or smell, and diarrhea, must consult the memorandum titled COVID-19 Protocols Following Symptoms or Exposure to COVID-19, which can be found on the Court's website at <https://www.nysd.uscourts.gov/covid-19-coronavirus>, to determine whether they can enter the courthouses.

IT IS HEREBY ORDERED that any person who has been in close contact with anyone with COVID-19 in the past 14 days must consult the memorandum titled COVID-19 Protocols Following Symptoms or Exposure to COVID-19, which can be found on the Court's website at <https://www.nysd.uscourts.gov/covid-19-coronavirus>, to determine whether they can enter the courthouses.

IT IS HEREBY ORDERED that any person who has been in close contact with anyone with symptoms of COVID-19 in the past 14 days must consult the memorandum titled COVID-19 Protocols Following Symptoms or Exposure to COVID-19, which can be found on the Court's website at <https://www.nysd.uscourts.gov/covid-19-coronavirus, to determine whether they can enter the courthouses>.

IT IS HEREBY ORDERED that any person who has traveled in the past 10 days must follow the protocols that are set forth in the memorandum titled COVID-19 Protocols Following Travel, which can be found on the Court's website at <https://www.nysd.uscourts.gov/covid-19-coronavirus, to determine whether they can enter the courthouses>.

IT IS HEREBY ORDERED that the following persons may not enter any courthouse in the Southern District of New York:

- Unvaccinated persons who have been on a cruise ship or river voyage in the past 10 days.
- Unvaccinated persons who have attended an indoor gathering of more than 50 people at a private residence in the past 14 days, including but not limited to parties, celebrations or other social events.
- Unvaccinated persons who have been released from a federal, state or local jail, prison or other correctional institution within the last 14 days, except those who are reporting to be fit with a location monitoring device.
- Persons who do not meet the criteria for entry as determined by the SDNY COVID-19 entry questionnaire, which can be accessed at <https://www.nysd.uscourts.gov/covid-19-coronavirus>.

*Fully vaccinated is defined as being 2 or more weeks after the final dose (e.g., first for Janssen/Johnson & Johnson, second for Pfizer and Moderna) of the vaccine approved by the FDA or authorized by the FDA for emergency use. Vaccines that are not authorized by the U.S. Federal Drug Administration (FDA) for emergency use or approved by the FDA do not satisfy this definition.

Anyone attempting to enter in violation of these protocols will be denied entry by a Court Security Officer.

Anyone who has business in one of the courthouses of the Southern District of New York, but who cannot enter because of this order, should do the following:

- Persons who are represented by an attorney should contact their attorney;
- Attorneys or pro se litigants who are scheduled to appear in court before a judge should contact the judge's chambers directly (contact information may be found in the Judges' Individual Practices on the court's public web page);
- Persons who are scheduled to meet with a Pretrial Services Officer should contact the Office of Pretrial Services at (212) 805-4300;
- Persons who are scheduled to meet with a Probation Officer should contact the Probation Office at (212) 805-0040;
- Jurors should contact the Jury Department at (212) 805-0179;
- Employees reporting to work at the courthouse should contact their supervisor;
- Persons having any other business with the United States District Court for the Southern District of New York should contact the Clerk of Court at (212) 805-0140;
- Persons having business with the United States Court of Appeals for the Second Circuit should contact Catherine Wolfe, Clerk of Court, at (646) 584-2696;
- Persons having business with the United States Bankruptcy Court for the Southern District of New York should contact Bankruptcy Court Services at (212) 284-4040;
- For all other matters, please contact the District Executive's Office at (212) 805-0500.

IT IS FURTHER ORDERED that each person who comes to one of the courthouses of the Southern District of New York for any reason must pass through the following entry screening process:

- Answer screening questions about COVID-19 vaccination status, COVID-19 symptoms and potential exposure. A person whose answers indicate that they are at increased risk of being contagious with COVID-19 will not be permitted to enter the courthouse.¹
- If unvaccinated (or not yet fully vaccinated), have their temperature taken, using a contactless thermometer. A person with a temperature of 100.4 degrees or higher will not be permitted to enter the courthouse.

¹ Authorized employees and other persons who have received a Court sticker confirming their vaccination status must review and comply with the entry criteria at <https://www.nysd.uscourts.gov/covid-19-coronavirus>.

- Wear a N95, KN95 or KF94 mask that covers the person's nose and mouth. Bandannas, gaiters, masks with valves, surgical masks and cloth masks are not permitted. If a person does not have an approved mask, a screener will provide one.
- Apply hand sanitizer, which will be available at all courthouse entrances.

IT IS FURTHER ORDERED that while in the courthouse, all persons must comply with the following rules:

- **Face Coverings:** For masking rules specific to participants in courtroom proceedings, please see the document titled COVID-19 Courtroom Protocols on the Court's website in the section titled SDNY Response to COVID-19. In all other public areas of the courthouse (including courtroom galleries, hallways, public counters, elevators) all persons must wear a N95, KN95 or KF94 mask that covers their nose and mouth. All persons must also wear a N95, KN95 or KF94 mask in all non-public shared space/common areas where more than one person is assigned to work. These rules apply unless a specific exception has been requested and approved by the Court's COVID-Response Team prior to an individual's entry to the courthouse.
- **Social Distancing:** For distancing rules specific to participants in courtroom proceedings, please see the document titled COVID-19 Courtroom Protocols on the Court's website in the section titled SDNY Response to COVID-19. All persons must adhere to safe social distancing rules as indicated by markings on floors and benches, or as directed by court staff. . If you are standing in line, you must keep six feet away from the person in front of you and behind you, unless you are taking care of a small child or assisting someone with special needs. Elevator capacity will be limited as posted. ..
- **Instructional Signage:** You must abide by all health and hygiene signage throughout the courthouses, including signage regarding masks, social distancing, occupancy restrictions, and hand washing.

Anyone who fails or refuses to abide by these rules will be required to leave the courthouse immediately.

This order supersedes and replaces the Ninth Amended Standing Order on Restrictions to Entry to Courthouses that was entered on August 6, 2021, and will remain in place until further notice.

People who think they may have been exposed to COVID-19 should contact their healthcare provider immediately.

ENTERED this 22nd day of December, 2021, at New York, New York.

A handwritten signature in black ink, appearing to read 'L. Swain', is positioned above a horizontal line.

LAURA TAYLOR SWAIN
Chief United States District Judge